

Notice of Violations Guidance for Marine Safety and Security Violations

Enclosure (1)

Proposed Penalty Amounts listed in the Table below are for a Commercial Entity

Proposed Penalty Amounts for an Individual are half the Proposed Penalty Amount for a Commercial Entity

For 33 CFR 104, 105 and 106, Proposed Penalty Amounts shall be multiplied by **1.5** and **2** for violations that occur during MARSEC Levels 2 and 3, respectively.

Proposed Penalty Amount Cite Amount	Description	1st Offense	2nd Offense	3rd Offense	Maximum Penalty
33 CFR 161.4	Failure to have required VTS rules on board.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.5	Failure to request a deviation from the VTS rules.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.12(a)	Failure to comply with a VTS measure or direction.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.12(a)(1)	Failure to report deviation from a VTS measure or direction as soon as practicable.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.12(b)	Failure to comply with the requirements for a proper listening watch, prompt response when hailed by VTS, and communications in English.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.12(c)	Failure to notify the VTS of hazardous vessel operating conditions and other required reports.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.13(a)	Failure to tow astern with as short a hawser as is practicable.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.13(b)(1)	Failure to obtain VTS approval prior to entering or getting underway in the special area.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.13(b)(2)	Entering the SA when hazardous vessel operating conditions or circumstances exist.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.13(b)(3)	Failure to obtain VTS approval before meeting, crossing, or overtaking any other VMRS User.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.13(b)(4)	Failure to make bridge to bridge communication passing arrangements before meeting, crossing, or overtaking any other VMRS User.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.18(b)	Failure to make required reports as soon as practicable on the designated VTS VHF frequency.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.18(c)	Failure to comply with the requirements to maintain a listening watch, promptly respond to VTS, and communicate in English.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.19	Failure to make Sailing Plan Report at least 15 minutes before navigating a VTS area.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.20	Failure to make Position Report at required time.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.21(a)	Failure to report significant deviation from previously reported ETA.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.21(b)	Failure to report intentions to deviate from a VTS measure or vessel traffic routing system.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.21(c)	Failure to report significant deviation from previously reported information.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.22	Failure to make Final Report at required time.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.23(b)(1)	Failure to provide a Sailing Plan at least 5 minutes before entering the VTS area.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.23(b)(2)	Failure to provide Position and Final Report; others when departing from schedule by more than 15 minutes or changing its limited operating area.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.23(c)	Failure to restore ADSSE to operating condition as soon as possible.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.23(c)(1)	Failure to notify VTC, provide a Position Report or other requested voice reports	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00

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	when ADSSE is not operational.				
33 CFR 161.23(c)(2)	Failure to provide a Position Report or other requested voice reports, when ADSSE is non-operational, due to a loss of position correction info.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.25	Caused or authorized the operation of a vessel in the New York VTS area, as defined, contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.30	Caused or authorized the operation of a vessel in a VTS Area contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.35	Caused or authorized the operation of a vessel in a VTS Area contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.40	Caused or authorized the operation of a vessel in a VTS Area contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.45	Caused or authorized the operation of a vessel in a VTS Area contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.50	Caused or authorized the operation of a vessel in a VTS Area contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.55	Caused or authorized the operation of a vessel in a VTS Area contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00
33 CFR 161.60	Caused or authorized the operation of a vessel in a VTS Area contrary to the rules contained in this Part.	\$1,000.00	\$3,000.00	\$6,000.00	\$32,500.00